

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 9 and 16 have been amended and claims 1-8 and 13-15 are withdrawn from consideration. Claims 1-16 are pending in the application. Applicant submits that the pending claims should be allowed as discussed below.

I. Summary of the Office Action

Claims 9, 10 and 16 are rejected under 35 U.S.C. § 102(b) as being unpatentable by Someno et al. (US Patent Application Publication No. 2002/0051179; hereinafter “Someno”).

Claims 11-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Someno in view of Watanabe et al. (US Patent Application Publication No. 2002/0105669; hereinafter “Watanabe”).

II. Claim Rejections under 35 U.S.C. § 102(b)

The Examiner rejects claims 9, 10 and 16 under 35 U.S.C. § 102(b) as being anticipated by Someno.

By this Amendment, Applicant has amended claims 9 and 16 to recite “a prescribed print cancellation condition of the host apparatus” to distinguish it from a certain cancellation condition of a printer. Further, Applicant has amended the claims to recite features of resuming printing after the print cancellation condition is eliminated with reference to FIG. 8 and page 14, lines 14-22 of the application.

Claim 9 of the application is directed to a host apparatus creating print data to be sent to a printer and recites (emphasis added):

print instruction means for sending the print data to the printer and causing printing; and

cancellation means for, in the event that a prescribed print cancellation condition of the host apparatus exists, requesting cancellation of printing in units of pages at the printer such that printing continues until printing of a page currently being printed is completed,

wherein the print instruction means, in the event that the prescribed print cancellation condition of the host apparatus is eliminated, requests the printer to resume printing an unprinted page subsequent to the completed page based on job status information obtained from the printer.

In alleged support of the rejection of claim 9, the Examiner contends that FIG. 1 and paragraphs [0011], [0041], [0042], [0063] and [0073] of Someno disclose all the elements of claim 9.

Someno discloses a printing system to reduce time duration that printing data is held in an external storing device, and to ensure quick stopping transfer of printing data when detecting a printer cancellation command (paragraphs [0007]-[0011]). Referring to FIGs. 1-3 of Someno, the printing driver 31 divides printing data into a plurality of sub-files 70 and stores the sub-files in an external storing device, and the printer processor 42 reads in the sub-files in the unit of packet and transmits the packet data to the printer 20 (paragraphs [0049], [0050] and [0068]).

With regard to the cancellation of printing, paragraphs [0073] of Someno describes as follows:

When a print cancellation instruction is added to the print control command file 71 as a result of the reading, transfer of packets to the printer 20 after the cancellation would be stopped and a page ending command and job ending command would be transmitted to

the printer 20, so that printing would end. (emphasis added)

The Examiner contends that the above portion teaches “requesting cancellation of printing in units of pages at the printer such that printing continues until printing of a page currently being printed is completed,” as recited in claim 9.

The cited portion of Someno, however, simply indicates timing of sending a cancellation command to a printer, i.e., after stopping the transfer of the packet to the printer. Nowhere in Someno is described that the commands indicate requesting cancellation of printing in units of pages at the printer such that printing continues until printing of a page currently being printed is completed, as required in claim 9.

More specifically, referring to FIGs. 2 and 3 of Someno, the sub-file 70 comprises a header portion 71, a main body portion 72 including packet portions, and a footer portion 73. The printer processor 42 reads in the sub file in a unit of packet and transmits the packet data portions to the printer 20. Someno discloses in paragraph [0072] that since the printer processor monitors the printer command file for every reading of a file in a unit of packet, the printer processor can send a job ending command to the printer quickly. This feature is clearly noted from paragraph [0074] of Someno that states:

The above printing cancellation process enables detection of cancellation for every packet process, and printing can be stopped without transferring to the printer 20 packets after detection. That is, it become possible to perform cancellation of printing quickly and certainly. (emphasis added).

Meanwhile, Someno discloses a process of dividing printing data into sub-files 70a, 70b, 70c where the sub-file 70c include PAGE END and JOB END (FIG. 3). However, Someno does

not describe that these PAGE END and JOB END are to request the printer to continues until printing of a page currently being printed is completed.

Thus, Someno's transmitting "a page ending command and job ending command" to the printer 20 does not teach cancellation of printing in units of pages at the printer such that "printing continues until printing of a page currently being printed is completed" as required in claim 9.

Furthermore, Someno does not teach anything about the process of resuming printing after the print cancellation condition is eliminated as recited in amended claim 9.

In the Office Action, the Examiner contends that Watanabe (paragraphs [0109], [0115] and [0116]) teaches "interruption location information obtained from the printer indicating a location at which printing was interrupted pursuant to the request for cancellation of printing" and resumption of the printing based on the interrupt location information (Office Action at page 5). The paragraph [0109] of Watanabe describes that when a power capacity of a camera is reduced to a predetermined level, printing is halted and interrupt information is stored in an EEPROM (504) of the camera (FIG. 5). Watanabe also describes in paragraph [0114] that when a printer does not receive data during a printing reception process, the printer determines that an error occurred, halts the process, and performs a predetermined recovery process.

However, Watanabe does not teach the camera as receiving the interrupt information from the printer. Instead, in Watanabe, the camera rather than the printer generates and stores the interrupt information. Moreover, Watanabe does not disclose that when a print cancellation condition of the camera is eliminated, the camera instructs the printer to resume printing of a page subsequent to a printing completed page based on job status information obtained from the printer. Thus, Watanabe fails to disclose "the print instruction means, in the event that the

prescribed print cancellation condition of the host apparatus is eliminated, requests the printer to resume printing an unprinted page subsequent to the completed page based on job status information obtained from the printer” as recited in amended claim 9.

Accordingly, Applicant respectfully submits that claim 9 is not anticipated by Someno because the reference does not disclose each and every element of claim 9.

Claim 16 recites features analogous to those of claim 9. Therefore, claim 16 is patentable over Someno for reasons similar to those for claim 9.

Dependent claim 10 should be allowable at least because of its dependency on claim 9.

III. Claim Rejections under 35 U.S.C. § 103

The Examiner rejects claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Someno in view of Watanabe.

However, Someno does not disclose all the elements of claim 9 on which claims 11 and 12 depend as discussed above. In addition, Watanabe does not make up for the deficiencies of Someno. Accordingly, Applicant submits that claims 11 and 12 should be allowed at least because the references, alone or in combination, do not teach or suggest all the claimed elements.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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